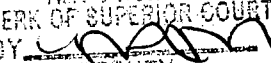


1 BRIAN M. McINTYRE, Cochise County Attorney  
2 BY: MICHAEL A. POWELL, Deputy County Attorney  
3 Arizona State Bar No. 029158  
4 P.O. Drawer CA  
5 Bisbee, Arizona 85603  
6 (520) 432-8700  
7 ATTYMEO@COCHISE.AZ.GOV

FILED

2019 JAN 25 PM 4:12

AMY J. HUNLEY  
CLERK OF SUPERIOR COURT  
BY:   
DEPUTY

8  
9 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
10  
11 IN AND FOR THE COUNTY OF COCHISE  
12

13 STATE OF ARIZONA

14 Plaintiff,

15 vs.

16 JOSEPH BRANDON ANDERSON

17 Defendant.

) Case No. CR201700221

) JUDGE BANNON  
) DIVISION VI

) **STATE'S RESPONSE TO PETITION  
) FOR POST-CONVICTION RELIEF**

18 The State of Arizona, through the Cochise County Attorney, Brian M. McIntyre, Cochise  
19 County Attorney, and Michael A. Powell, his Deputy, hereby responds to the Defendant's Petition  
20 for Post-Conviction Relief.

21 The State concurs that, with regards to the Defendant's appeal only, Mr. Swartz was  
22 ineffective. The State has no objection to the Defendant filing a delayed notice of appeal.

23  
24  
25  
26  
27  
28  
RESPECTFULLY SUBMITTED this 24<sup>th</sup> day of January, 2019.

COCHISE COUNTY ATTORNEY

By: 

MICHAEL A. POWELL  
Deputy County Attorney

COCHISE COUNTY ATTORNEY'S OFFICE  
POST OFFICE DRAWER CA  
BISBEE, ARIZONA 85603  
(520) 432-8700



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Copy of the foregoing  
mailed/delivered/faxed  
this 24<sup>th</sup> day of January, 2019  
to:

The Honorable Terry Bannon  
Judge of the Superior Court  
Division VI  
Bisbee, Arizona 85603  
*Via Courthouse Distribution Box*

Harriette P. Levitt, Esq.  
5363 E. Pima St., Suite 101  
Tucson, Arizona 85712  
*Attorney for the Defendant*  
*Via US Mail*